

Application No. 09/913,448
Filed: August 14, 2001
TC Art Unit: 1774
Confirmation No.: 9630

REMARKS

Claims 4-13 and 17-19 are pending in the present application. The Examiner has rejected claims 7-10, 18 and 19. The Examiner has also deemed claims 4-6, 11-13 and 17 to be allowable. Applicants have amended claims 11 and 17 and canceled claims 7-10, 18 and 19. The amendments have support within the specification such that new matter has not been presented herein. Applicants submit that claims 4-6, 11-13 and 17 should be pending on entry of the amendments herein.

The above amendments to the claims should not be construed as acquiescence to the rejections by the Examiner and were provided solely to expedite the prosecution of the application. Applicants reserve the right to pursue the claims as originally filed in the present or a separate application(s).

Applicants respectfully request reconsideration and withdrawal of the rejections by the Examiner in view of the above amendments and remarks herein.

Allowable Subject Matter

The Examiner has deemed claims 4-6, 11-13 and 17 to be allowable.

Claim Rejections 35 U.S.C. § 112

The Examiner has rejected claims 7 and 8 under 35 U.S.C. § 112. Applicants submit that claims 7 and 8 have been canceled herein.

Claim Rejections 35 U.S.C. § 103

The Examiner has rejected claims 7-10, 18 and 19 under 35 U.S.C. § 103 as obvious in view of U.S. Patent No. 5,728,823 to

Application No. 09/913,448
Filed: August 14, 2001
TC Art Unit: 1774
Confirmation No.: 9630

Reuscher et al. Applicants submit that claims 7-10, 18 and 19 have been canceled herein.

CONCLUSION

Based on the amendments presented herein, reconsideration and withdrawal of the rejections by the Examiner and allowance of the application with the pending claims are respectfully requested.

The Examiner is also encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

MAREK WELTOWSKI ET AL.

By: 

Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicant(s)

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEBOVICI LLP
Ten Post Office Square
Boston, MA 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

CLG/dxr
318847